



NEW ZEALAND



EDICT OF GOVERNMENT



In order to promote public education and public safety, equal justice for all, a better informed citizenry, the rule of law, world trade and world peace, this legal document is hereby made available on a noncommercial basis, as it is the right of all humans to know and speak the laws that govern them.

NZS BIO GRAPE.PRC (2010) (English): Importing Fresh Fruit/Vegetables - Table Grapes (*Vitis vinifera*) from the People's Republic of China (Updated 19 January 2010) [By Authority of The Biosecurity Act of 1993]

*We will sell to no man,
we will not deny or defer to any man either justice or right.*

Magna Carta—Tūtohunga Nui

*Kore rawa e hoko ki te tangata, e kore e whakakāhoretia,
e tautuku rānei te tangata ki te ture, tika ranei.*



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Import Health Standard
Commodity Sub-class: Fresh Fruit/Vegetables
Table grapes, (*Vitis vinifera*) from the People's Republic
of China

ISSUED

Issued pursuant to Section 22 of the Biosecurity Act 1993
Date Issued: 19 January 2010

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Endorsement

Import health standards for plants and plant products imported into New Zealand are a requirement under the Biosecurity Act 1993 and are prepared by the Ministry of Agriculture and Forestry Biosecurity New Zealand (MAFBNZ).

This standard was issued by the Director-General, MAF Biosecurity New Zealand on 19 January 2010.

Signed under delegated authority: _____

Stephen Butcher
Group Manager, Plant Imports and Exports

Review and amendment

MAF Biosecurity New Zealand import health standards are subject to periodic review and amendment.

New Zealand import health standards are updated and republished as necessary with the most recent version published on the MAF Biosecurity New Zealand web site:
<http://www.biosecurity.govt.nz/regs/imports/plants/fruit-veg>

Distribution

Import health standards are made available for public access on the New Zealand Ministry of Agriculture and Forestry web site: <http://www.biosecurity.govt.nz/regs/imports/plants/fruit-veg>

INTRODUCTION

SCOPE

This import health standard describes the requirements to be met to enable biosecurity clearance to be given for fresh table grapes (*Vitis vinifera*) imported into New Zealand from the People's Republic of China for human consumption. The commodity description 'table grape' includes grapes, pedicel and peduncle, but without tendrils, stems, leaves, roots or any other plant parts.

REFERENCES

Biosecurity Act 1993

Glossary of phytosanitary terms 2009. ISPM Publication No. 5, FAO, Rome.

Risk analysis for quarantine pests including analysis of environmental risks 2003. ISPM Publication No. 11 (Rev. 1), FAO, Rome.

New Revised Text of the International Plant Protection Convention, November 1997. FAO, Rome.

MAF Biosecurity New Zealand Standard 152.02: Importation and Clearance of Fresh Fruit and Vegetables into New Zealand.

DEFINITIONS ABBREVIATIONS AND ACRONYMS

AQSIQ	General Administration for Quality Supervision, Inspection and Quarantine of the People's Republic of China
Biosecurity clearance	A clearance under section 26 of the New Zealand Biosecurity Act 1993 for the entry of goods into New Zealand.
Biosecurity New Zealand	Biosecurity New Zealand is the division of the Ministry of Agriculture and Forestry (MAF) that has the lead role in preventing the importation of unwanted pests and diseases, and for controlling, managing or eradicating them should they arrive.
Certificate	An official document, which attests to the phytosanitary status of any consignment affected by phytosanitary regulations [ISPM 5].
Commodity	A type of plant, plant product, or other article being moved for trade or other purpose [ISPM 5].

Consignment	A quantity of plants, plant products and/or other articles being moved from one country to another and covered, when required, by a single phytosanitary certificate (a consignment may be composed of one or more commodities or lots) [ISPM 5].
Contaminating pest	A pest that is carried by a commodity and, in the case of plants and plant products, does not infest those plants or plant products [ISPM 5]
Establishment	Perpetuation, for the foreseeable future, of a pest within an area after entry [FAO, 1990; revised FAO, 1995; IPPC, 1997; formerly established]
High impact pest	High impact pests are regulated pests that if introduced into New Zealand would have a major effect on the production (including access to overseas markets) of plants and plant products and/or the environment and/or which poses a risk to human health
Import health standard	A document issued under section 22 of the Biosecurity Act 1993 that specifies “... <i>the requirements to be met for the effective management of risks associated with the importation of risk goods before those goods can be imported, moved from a biosecurity control area or a transitional facility, or given a biosecurity clearance</i> ”.
Infestation of a commodity	Presence in a commodity of a living pest of the plant or plant product concerned. Infestation includes infection [ISPM 5].
Inspection	Official visual examination of plants, plant products or other regulated articles to determine if pests are present and/or to confirm compliance with phytosanitary regulations [ISPM 5].
International Plant Protection Convention	International Plant Protection Convention, as deposited with FAO in Rome in 1951 and as subsequently amended [ISPM 5].
IPPC	Abbreviation for the International Plant Protection

	Convention.
International Standard for Phytosanitary Measures	An international standard adopted by the Conference of FAO, the Interim Commission on Phytosanitary Measures or the Commission on Phytosanitary Measures established under the IPPC [ISPM 5].
Introduction	The entry of a pest resulting in its establishment [FAO, 1990; revised FAO, 1995; IPPC, 1997]
ISPM	Abbreviation for International Standard on Phytosanitary Measures.
Lot	A number of units of a single commodity identifiable by its homogeneity of composition, origin, etc., forming part of a consignment. [FAO, 1990].
MAFBNZ	Abbreviation for the Ministry of Agriculture and Forestry Biosecurity New Zealand which is the New Zealand national plant protection organisation.
National Plant Protection Organisation	Official service established by Government to discharge the functions specified by the IPPC. [ISPM 5]
NPPO	Abbreviation for National Plant Protection Organisation.
Official	Established, authorized or performed by a National Plant Protection Organization [FAO, 1990].
Pest	Any species, strain or biotype of plant, animal or pathogenic agent injurious to plants or plant products [ISPM 8] Note: For the purpose of this standard “pest” includes an organism sometimes associated with the pathway, which poses a risk to human or animal or plant life or health (SPS Article 2).
Pest free area	An area in which a specific pest does not occur as demonstrated by scientific evidence and in which, where appropriate, this condition is being officially maintained [ISPM 5].
Pest free place of production	Place of production in which a specific pest does not occur as demonstrated by scientific evidence and in

	which, where appropriate, this condition is being officially maintained for a defined period [ISPM 5].
Phytosanitary certificate	Certificate patterned after the model certificates of the IPPC [ISPM 5].
Phytosanitary certification	Use of phytosanitary procedures leading to the issue of a phytosanitary certificate [ISPM 5].
Phytosanitary measure	Any legislation, regulation or official procedure having the purpose to prevent the introduction and/or spread of quarantine pests, or to limit the economic impact of regulated non-quarantine pests [ISPM 5]
Quarantine pest	A pest of potential economic importance to the area endangered thereby and not yet present there, or present but not widely distributed and (is) being officially controlled [ISPM 5].
Regulated pest	A quarantine pest or a regulated non-quarantine pest [ISPM 5] A pest of potential economic, environment or human health importance to New Zealand and not yet present there, or present but either not widely distributed and being officially controlled, or having the potential to vector another regulated pest into New Zealand.
Treatment	Official procedure for the killing or inactivation or removal of pests for rendering pests infertile or for devitalisation [ISPM 5].
Viable	Capable of maintaining life, or able to live in a particular environment and able to procreate.

OUTLINE OF REQUIREMENTS

This import health standard outlines the requirements that must be met prior to shipment, in-transit and on arrival in New Zealand for fresh table grapes imported from the People's Republic of China for human consumption.

This standard is replicated at the following Internet address:

<http://www.biosecurity.govt.nz/regs/imports/plants/fruit-veg>

Generic requirements for the importation of all fresh fruit and vegetables into New Zealand are described in *MAF Biosecurity New Zealand Standard 152.02: Importation and Clearance of Fresh Fruit and Vegetables into New Zealand*.

NEW ZEALAND LEGISLATIVE REQUIREMENTS AND INTERNATIONAL OBLIGATIONS

All New Zealand import health standards are based upon risk analyses, which may assess either a commodity or a pest and pathway combination. New Zealand's legislative requirements and international obligations are taken into account when conducting risk analyses and applying the findings in the development of import health standards. The principal document for all New Zealand import health standards relating to plants and plant products is the Biosecurity Act (1993), whilst the international obligations derive principally from the guidelines on risk analysis developed under the auspices of the Interim Commission on Phytosanitary Measures operating within the framework of the International Plant Protection Convention, and the World Trade Organisation Agreement on the Application of Sanitary and Phytosanitary Measures.

IMPORT HEALTH STANDARD: FRESH FRUIT/VEGETABLES – TABLE GRAPES (*Vitis vinifera*) FROM THE PEOPLE’S REPUBLIC OF CHINA.

1 Official contact point (New Zealand National Plant Protection Organisation)

The official contact point in New Zealand for overseas NPPOs is MAF Biosecurity New Zealand. All communication pertaining to this import health standard should be addressed to:

Manager, Plant Imports and Exports Group
MAF Biosecurity New Zealand
PO Box 2526
Wellington
NEW ZEALAND

Fax: 64-4-894 0662
E-mail: PlantImports@maf.govt.nz
<http://www.biosecurity.govt.nz>

2 General conditions for the importation of all plants and plant products

Plants and plant products are not permitted entry into New Zealand unless an import health standard has been issued in accordance with Section 22 of the Biosecurity Act 1993. Should plants or plant products, for which no import health standard exists, be intercepted by MAF Biosecurity New Zealand, the importer will be offered the option of reshipment or destruction of the consignment (at the importer’s expense).

The NPPO of the exporting country is required to inform MAF Biosecurity New Zealand of any newly recorded pests which may infest/infect any commodity approved for export to New Zealand.

3 Explanation of pest categories

MAF Biosecurity New Zealand categorises pests associated with plants and plant products into regulated and non-regulated pests. Measures to prevent the establishment of regulated pests in New Zealand are developed in accordance with the appropriate International Standards for Phytosanitary Measures and other relevant international standards.

Regulated pests are those pests for which actions would be undertaken if they were intercepted or detected. As well as quarantine pests these include pests that may pose a risk to human or animal health or to the environment, vectors of associated quarantine pests, and virulent strains (not present in New Zealand) of non-regulated pests and contaminants. Non-regulated pests are those pests for which actions would not be undertaken if they were intercepted or detected.

4 General conditions for fresh fruit/vegetables for consumption

Only clean and inert or synthetic material may be used for the protection, packaging and shipping of fresh fruit or vegetables.

Consignments contaminated with soil, or other potential carriers of regulated pests (for example, leaf litter) will not be permitted entry if the level of contamination is above the acceptance level (see section 7.4 in the *MAF Biosecurity New Zealand Standard 152.02: Importation and Clearance of Fresh Fruit and Vegetables into New Zealand* <http://www.biosecurity.govt.nz/files/ihs/152-02.pdf>).

A completed phytosanitary certificate issued by the exporting country's NPPO must accompany all consignments of fresh fruit and vegetables exported to New Zealand.

MAF Biosecurity New Zealand will inspect all consignments of fresh fruit and vegetables to verify that New Zealand's phytosanitary requirements have been met.

5 Specific conditions for table grapes from the People's Republic of China.

5.1 PRE-SHIPMENT REQUIREMENTS

5.1.1 Inspection of the consignment

MAF Biosecurity New Zealand requires that the People's Republic of China NPPO sample and visually inspect the consignment according to official procedures for all the regulated pests specified by MAF Biosecurity New Zealand to ensure it conforms with New Zealand's current import requirements. A phytosanitary certificate should not be issued if live regulated pest(s) are detected, unless the consignment is effectively treated. If pests are found which are not listed in the import health standard, the People's Republic of China NPPO must establish their regulatory status. This list of regulated pests is available in MAF's "Biosecurity Organisms Register for Imported Commodities" <http://www.biosecurity.govt.nz/pests/registers/boric>

If a pest found during export inspection by AQSIQ is not listed in this register, the People's

Republic of China NPPO must contact MAF Biosecurity New Zealand (see Section 1) to establish the regulatory status of the pest.

Pests associated with table grapes from the People's Republic of China for which phytosanitary measures are required are listed in Appendix 1.

5.1.2 Testing of the consignment

Testing of the consignment prior to export to New Zealand for regulated pests which are not visually detectable (viz. fungi and bacteria) is not required for fresh table grapes from the People's Republic of China.

5.1.3 Phytosanitary measures

MAF Biosecurity New Zealand requires the People's Republic of China NPPO to undertake either cold-disinfestation or pest free area as an efficacious phytosanitary measure for the high impact fruit fly species associated with table grapes in the People's Republic of China.

MAFBNZ requires the People's Republic of China NPPO to undertake agreed pest control activities that are effective against the other (non-fruit fly) high risk pests prior to the commodity arriving in New Zealand, and phytosanitary certification will need to attest to this accordingly. These high risk pests are:

- *Conogethes punctiferalis*
- *Guignardia bidwellii*
- *Monilinia fructigena*
- *Tetranychus kanzawai*
- *Lactrodectus mactans*.

Full details of these agreed measures must be contained in the Official Assurance Programme (OAP) within the Bilateral Quarantine Arrangement between AQSIQ and MAFBNZ

5.1.4 Documentation

A completed phytosanitary certificate issued by the People's Republic of China NPPO must accompany all table grapes consignments exported to New Zealand.

Before a phytosanitary certificate is issued, the People's Republic of China NPPO must be satisfied that the following activities required by MAF Biosecurity New Zealand have been undertaken.

The table grapes have:

- (i) been inspected in accordance with appropriate official procedures and considered

to be free of regulated pests specified by MAF Biosecurity New Zealand (MAFBNZ)

AND

- (ii) undergone agreed pest control activities that are effective against
- *Conogethes punctiferalis*
 - *Guignardia bidwellii*
 - *Monilinia fructigena*
 - *Tetranychus kanzawai*
 - *Lactrodectus mactans*

in accordance with the Official Assurance Programme (OAP)

AND

- (iii) undergone an agreed treatment that is effective against associated fruit fly species of economic significance in accordance with Section 3.1 **or** 3.2 of the Official Assurance Programme between MAFBNZ and AQSIQ

5.1.5 Additional declarations to the phytosanitary certificate

If satisfied that the pre-shipment activities have been undertaken, the People's Republic of China NPPO must confirm this by providing the following additional declaration to the phytosanitary certificate:

The table grapes in this consignment have:

- (i) been inspected in accordance with appropriate official procedures and considered to be free of regulated pests specified by MAF Biosecurity New Zealand (MAFBNZ)

AND

- (ii) undergone agreed pest control activities that are effective against *Conogethes punctiferalis*, *Guignardia bidwellii*, *Monilinia fructigena*, *Tetranychus kanzawai* and *Lactrodectus mactans* in accordance with the Official Assurance Programme

AND

- (iii) been treated in accordance with Section 3.1 **or** 3.2 of the Official Assurance Programme between MAF Biosecurity New Zealand and the General Administration for Quality Supervision and Inspection and Quarantine of the People's Republic of China (AQSIQ).

NOTE: Full details of the fruit fly treatment and methyl bromide treatment must be included in the “Disinfestation and/or Disinfection Treatment” area of the phytosanitary certificate or as an endorsed attachment to the phytosanitary certificate. Details of the treatment duration, fumigant concentration and temperature must be recorded. For cold disinfestation completed in-transit; printouts of all temperature sensors or direct electronic downloads must be made available to MAFBNZ at the port of arrival in New Zealand for final clearance of the container.

5.2 TRANSIT REQUIREMENTS

The NPPO must ensure that the consignment (prior to export) is held in a manner to ensure that infestation or reinfestation does not occur following phytosanitary certification. Where a consignment is split or has its packaging changed while in another country (or countries) *en route* to New Zealand, a "Re-export Certificate" is required. Where a consignment is held under bond as a result of the need to change conveyances and is kept in the original shipping container, a "Re-export Certificate" is not required.

5.3 INSPECTION ON ARRIVAL IN NEW ZEALAND

MAF Biosecurity New Zealand will check the accompanying documentation on arrival to confirm that it is correct and reconciles with the actual consignment.

MAF Biosecurity New Zealand requires, with 95% confidence, that not more than 0.5% of the units in a consignment are infested with visually detectable, regulated pests. To achieve this, MAF Biosecurity New Zealand will sample and inspect 600 units with an acceptance level of zero infested units (or equivalent), from the (homogeneous) lot.

5.4 BIOSECURITY/QUARANTINE DIRECTIVE

The consignment may be directed to a MAF Biosecurity New Zealand approved facility for further treatment if required.

5.5 TESTING FOR REGULATED PESTS

MAF Biosecurity New Zealand may, on the specific request of the Chief Technical Officer, test the consignment for regulated pests.

5.6 ACTIONS UNDERTAKEN ON THE INTERCEPTION/DETECTION OF PESTS/CONTAMINANTS

If regulated pests, extraneous plant material or trash are intercepted or detected with the commodity, or associated packaging, one or more of the following actions will be undertaken as appropriate (depending on the pest identified):

- Re-sorting (specific conditions apply) of the consignment
- Reshipment of the consignment
- Destruction of the consignment
- Treatment for those pests where an efficacious treatment is available
- The temporary suspension of the pathway on the detection of pests (on arrival) for which specific pre-export phytosanitary measures are required. Suspension of the pathway will continue until the cause of the non-compliance has been identified and corrective actions have been implemented to the satisfaction of MAF Biosecurity New Zealand.

NOTE: The suspension of the pathway could be at the packhouse, production area, province or country level depending on the significance of the pest and the interception.

If an organism is intercepted or detected that is not on the pest list (appended to this document), the consignment will be held until an assessment is undertaken to determine the organism's regulatory status and appropriate measures developed if required.

Consignments that are contaminated with extraneous plant material and/or trash in the 600 unit sample will result in the consignment being held until an assessment has been made in comparison with the risk of importing the part(s) of the plant species concerned.

5.7 BIOSECURITY CLEARANCE

If regulated pests are not detected, or are successfully treated following interception or detection, biosecurity clearance will be given.

5.8 AUDIT OF OFFSHORE MEASURES

MAF Biosecurity New Zealand reserves the right to audit all processes that are undertaken in accordance with the Official Assurance Programme.

5.9 FEEDBACK ON NON-COMPLIANCE

The People's Republic of China NPPO will be informed by MAF Biosecurity New Zealand's Chief Technical Officer of the interception (and treatment) of any regulated pests, "unlisted" pests, or non-compliance with measures specified in this import health standard.

Appendix 1 Regulated Pest List Commodity Sub-class: Fresh Fruit/Vegetables *Vitis vinifera* from the People's Republic of China for which phytosanitary measures are required

Scientific name	Organism type	Common name	Actions on interception
<i>Alternaria viticola</i>	Fungi	Spike-stalk brown spot of grape	1 &/or 2
<i>Pilidiella diplodiella</i>	Fungi	White rot of grape	1 &/or 2
<i>Guignardia bidwellii</i> (anamorph <i>Phyllosticta ampellicida</i>)	Fungi	Black rot	3
<i>Monilinia fructigena</i> (anamorph <i>Monilia fructigena</i>)	Fungi	Brown rot	3
<i>Apolygus lucorum</i>	Insect	Small green plant bug	1 &/or 2
<i>Bactrocera dorsalis</i>	Insect	Oriental fruit fly	3
<i>Coccinella transversalis</i>	Insect	Transverse ladybird	1 &/or 2
<i>Conogethes punctiferalis</i>	Insect	Yellow peach moth	1 & 2a
<i>Drosophila suzukii</i>	Insect	Spotted wing drosophila	1 &/or 2
<i>Eupoecilia ambiguella</i>	Insect	Grapevine moth	1 &/or 2
<i>Harmonia axyridis</i>	Insect	Harlequin ladybird	1 &/or 2
<i>Maconellicoccus hirsutus</i>	Insect	Pink hibiscus mealybug	1 &/or 2
<i>Nippoptilia vitis</i>	Insect	Grape plume moth	1 &/or 2
<i>Pseudococcus maritimus</i>	Insect	Grape mealybug	1 &/or 2
<i>Rhipiphorothrips cruentatus</i>	Insect	Grapevine thrips	1 &/or 2
<i>Scirtothrips dorsalis</i>	Insect	Chilli thrips	1 &/or 2
<i>Brevipalpus lewisi</i>	Mite	Citrus flat mite	1 &/or 2
<i>Tetranychus kanzawai</i>	Mite	Kanzawa spider mite	1 & 2a
<i>Lactrodectus mactans</i>	Spider	Black widow spider	1 & 2a

Actions on interception

- 0 No action due to low risk pathway
- 1 Removal of trash – pests are associated with other plant parts (e.g., leaves, stems, flowers) and/or soil
- 2 Treat, resort, reship or destroy
- 2a Treat, reship or destroy. Suspend pathway
- 3 Reship or destroy. Suspend pathway

NOTE: The suspension of the pathway could be at the packhouse, production area, province or country level depending on the significance of the pest and the interception.